



Montana Fish, Wildlife & Parks

*Region 4 Headquarters
4600 Giant Springs Road
Great Falls, MT 59405*

June 19, 2012

Decision Notice

For Newlan Creek Reservoir Fishing Access Site Proposed Phase II Development

Description of Proposed Action:

In 1997, Montana Fish, Wildlife & Parks (MFWP) entered into an agreement with the Meagher County Newlan Creek Water District to provide public recreational use of Newlan Reservoir and establishing a fishing access site (FAS). MFWP proposed to develop Newlan Creek Reservoir FAS in two phases. Phase I was completed in 2001, which included an entrance road and parking area, access roads through Camp Loops A and B, a boat launch, and three latrines. MFWP now is proposing to develop Phase II, which would include improvement of gravel access roads and development of designated campsites throughout Camp Loops A and B and the areas known as Big Point and Little Point, construction of a designated gravel parking area near the upper end of the reservoir, construction of a gravel boat access on Little Point, relocation of a vault latrine from the existing parking area to Big Point, possibly locating another vault latrine at Little Point or Headwaters and additional regulatory and informational signs. Phase II development of Newlan Creek Reservoir FAS would improve recreational opportunities by allowing additional opportunities for camping, boating and fishing. The proposed development reduces public safety hazards and degradation to fish and wildlife habitats due to pioneered roads and campsites, as well as improved sanitation by relocating and adding latrines.

Montana Environmental Policy Act:

MFWP is required by the Montana Environmental Policy Act (MEPA) to assess significant potential impacts of a proposed action to the human and physical environment. In compliance with MEPA, an Environmental Assessment (EA) was completed for the proposed project by MFWP and released for public comment on March 29, 2012.

Public comments on the proposed project were taken from March 29 through May 12, 2012. A notice describing the EA was mailed to 22 individuals and groups and emailed to an additional 32 email addresses with a link to the document and an offer to mail it upon request. The EA was also available for review in Great Falls at MFWP's Headquarters. In addition, the public was notified of the public comment period for this EA by the following methods:

- Two public notices in each of these papers: *Helena Independent Record*, *Great Falls Tribune*, *Meagher County News*, and *the Cascade Courier*.
- One press release

- Public notice on the Fish, Wildlife & Parks web page available through the links below:
http://fwp.mt.gov/news/publicNotices/environmentalAssessments/developmentImprovementsAndEnhancements/pn_0272.html
<http://fwp.mt.gov/fwDoc.html?id=55224>

Summary of Public Comments:

Two emails of public comment concerning the EA were received on April 5 and May 8, 2012. One commenter toured the site and expressed that Phase 1 campground loops and the latrines were improvements and looked nice. They also expressed concern that no cement boat launching ramp was present that would accommodate a heavy boat. The other commenter welcomed the new improvements but expressed a concern regarding illegal use of a two track road causing resource damage and trespass on the north side of Newlan Creek Road and inadequate signing.

FWP Response to concerns, questions and comments on the proposed action:

Comments supporting previous Phase I and proposed Phase II improvements.

Response: Comments are noted.

Comment regarding the lack of a concrete boat ramp.

Response: During April and throughout this spring the water elevation of Newlan Creek Reservoir has been low, which may limit the size of boats that may be launched. With normal water levels in Newlan Creek Reservoir, the hard shale base has provided adequate stability to launch boats in the past. MFWP has not received complaints that boat trailers would become stuck at the site where the floating dock is typically installed. MFWP did hire a contractor this spring to smooth out a bump in the ramp area that had been created by previous boat motors or ice action to improve the ease of launching at the dock area. Since construction of a cement boat ramp was not part of the proposed action and funding had not been allocated for one, MFWP will continue to monitor the function of the launch site to determine if a ramp may be a necessary addition in the future.

Comment regarding illegal use of a two track road on the north side of the Newlan Creek Road without signage and desire for monitoring and citations to violators.

Response: Although this comment does not address the proposed action in the EA, MFWP will install additional signs to reinforce current regulations that restrict off-road use. MFWP Enforcement and Fisheries staff will continue to monitor the area and gather any information possible to cite violators.

Decision:

Based on the public comment received, no modifications are necessary to the Draft Environmental Assessment. The Draft Environmental Assessment, together with this Decision Notice, will serve as the final document for the proposal.

I find there to be no significant impacts on the human and physical environments associated with this project. Therefore, I conclude that the Environmental Assessment is the appropriate level of analysis, and that an Environmental Impact Statement is not required.

Based on the analysis in the Draft EA, MFWP has decided to proceed with the action as proposed.

Appeal:

This project is subject to appeal, which must be submitted to the MFWP Director (Mr. Joe Maurier, Director, Montana Fish, Wildlife & Parks, PO Box 200701, Helena, MT 59620-0701) in writing and postmarked within 30 days of the date on this decision notice. The appeal must specifically describe the basis for the appeal, explain how the appellant has previously commented to the department or participated in the decision-making process, and lay out how FWP may address the concerns in the appeal.

If you have questions regarding this decision notice, please contact George Liknes, Regional Fisheries Manager at (406)454-5855, gliknes@mt.gov or MFWP, 4600 Giant Springs Road, Great Falls, MT 59405.



Gary Bertellotti
Region 4 Supervisor